

REMARKS

Claims 1-63 are pending in the present application. Reconsideration of the claims is respectfully requested.

I. Telephone Interview

Applicants thank Examiner Nguyen for the courtesies extended to Applicants' representative during the April 22, 2003 telephone interview. During the interview, the distinctions between the pending claims and the Watanabe reference were discussed. Examiner Nguyen stated that he understood the distinctions but would need to make a more detailed review of the Watanabe reference before making a final decision as to whether the claims define over the reference. The substance of the telephone interview is summarized in the following remarks.

II. 35 U.S.C. § 102, Alleged Anticipation

The examiner has rejected claims 1-63 under 35 U.S.C. § 102(b) as being anticipated by Watanabe (U.S. Patent No. 6,344,864 B1). This rejection is respectfully traversed.

As to independent claims 1, 21 and 41, the Office Action states:

Regarding claims 1, 21 and 41, Watanabe discloses a method of copying computer files to a destination location, comprising: receiving a copy instruction, the copy instruction identifying a plurality of computer files to be copied and the destination location (see abstract and col. 2, lines 1-22); displaying attributes of the plurality of computer files simultaneously, in an order in which the plurality of computer files are to be copied (see col. 3, lines 1-23); and copying the plurality of computer files to the destination location in the order in which the plurality of computer files are to be copied (see col. 2, lines 45-67);

Office Action dated January 29, 2003, page 2.

Watanabe is directed to a system for changing the size of displayed windows during a drag-and-drop copy operation. The use of the system of Watanabe to perform a

file copy is described in column 3, line 56 to column 5, line 7. As described in these columns, with the system of Watanabe a mouse cursor 21 may be used to select a window 8 and drag it to an arbitrary folder, such as window 20 (see Figures 3A and 3B). By clicking the right mouse button in advance before dragging the window 8, the size of the application form 18, as shown in Figure 4, may be reduced during the drag-and-drop operation. The application form 18 may be returned to its original size by right clicking again. Thus, Watanabe is merely directed to a mechanism for changing the size of windows that are being copied or moved to another folder.

Claim 1, which is representative of the other independent claims 21 and 41 with regard to similarly recited subject matter, reads as follows:

1. A method of copying computer files to a destination location, comprising:
receiving a copy instruction, the copy instruction identifying a plurality of computer files to be copied and the destination location;
displaying attributes of the plurality of computer files
simultaneously, in an order in which the plurality of computer files are to be copied; and
copying the plurality of computer files to the destination location
in the order in which the plurality of computer files are to be copied.
(emphasis added)

A prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). All limitations of the claimed invention must be considered when determining patentability. *In re Lowry*, 32 F.3d 1579, 1582, 32 U.S.P.Q.2d 1031, 1034 (Fed. Cir. 1994). Anticipation focuses on whether a claim reads on the product or process a prior art reference discloses, not on what the reference broadly teaches. *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 218 U.S.P.Q. 781 (Fed. Cir. 1983). Applicants respectfully submit that the Watanabe reference does not identically show every element of the claimed invention arranged as they are in the claims.

Watanabe does not teach any of the emphasized features above. That is, Watanabe does not teach a copy instruction which identifies a plurality of computer files to be copied and the destination location. Watanabe does teach that the application form

18 may have a listing of a plurality of document files, however only a single document file is copied using the drag-and-drop operation described in Watanabe, i.e. the copy instruction has but a single file. Watanabe specifically states that the file associated with the image window 8 is copied using the mechanism described in Watanabe. The image window 8 displays a file that is selected from the listing in document list box 7. Thus, there is no teaching in Watanabe to identify a plurality of computer files to be copied.

Moreover, there is no teaching in Watanabe to display attributes of the plurality of computer files simultaneously and in an order in which the plurality of computer files are to be copied. While Watanabe teaches a document list box 7, the document files listed in the document list box 7 are not necessarily document files that are to be copied. There may be document files listed in the document list box 7 that are never copied. This is because Watanabe requires that the user select a single document file from the document list box 7, have its contents displayed in image window 8, which may then be dragged-and-dropped to an appropriate folder window. Furthermore, the document files listed in the document list box 7 are not listed in an order in which they are to be copied in accordance with a copy instruction. They are merely listed in creation order as can be clearly seen from Figure 2.

Furthermore, there is no teaching in Watanabe to copy the plurality of computer files in an order in which the plurality of computer files are to be copied. As mentioned above, Watanabe only teaches copying one document file at a time using a drag-and-drop operation. Although Watanabe teaches that the drag-and-drop operation may be performed repeatedly (column 4, lines 55-62) such repeated operation still does not allow for the identification of a plurality of files to be copied or copying those files in an order in which they are to be copied.

In summary, all that Watanabe teaches is the ability to copy a single document file to a destination folder by selecting the image window of the document file and dragging and dropping the image window on another folder window. During this process, the image window is reduced in size so as to allow for better viewing of the window or folder to which the document is to be copied. There is no teaching in Watanabe regarding any of the features emphasized above.

With regard to independent claim 61, Watanabe does not teach displaying an identification of a plurality of files in a graphical user interface simultaneously in an order in which the plurality of files are to be copied to a destination in response to receiving a request to copy the plurality of files to a destination location, copying the plurality of files to the destination in the order, or altering the identification of the plurality of files to indicate a progress in copying individual files within the plurality of files to the destination. As discussed above, Watanabe does not teach identifying a plurality of files that are to be copied, displaying an identification of the plurality of files to be copied simultaneously or copying a plurality of files to be copied in a designated order. In addition, Watanabe does not teach altering an identification of a plurality of files to indicate a progress in copying individual files within the plurality of files to the destination. All Watanabe teaches is the selection of a single file by selecting the image window and dragging and dropping the image window on a folder to which the file is to be copied. There is no altering of an identification of a plurality of files to be copied to indicate a progress in copying individual files within the plurality of files.

In view of the above, Applicants respectfully submit that Watanabe does not teach each and every feature of independent claims 1, 21, 41 and 61 as is required under 35 U.S.C. § 102(b). At least by virtue of their dependency on claims 1, 21, 41 and 61, respectively, Watanabe does not teach each and every feature of dependent claims 2-20, 22-40, 42-60 and 62-63. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 1-63 under 35 U.S.C. § 102(b).

Furthermore, Watanabe does not teach, suggest, or give any incentive to make the needed changes to reach the presently claimed invention. Absent the examiner pointing out some teaching or incentive to implement Watanabe in the manner recited in the independent claims, one of ordinary skill in the art would not be led to modify Watanabe to reach the present invention when the reference is examined as a whole. Absent some teaching, suggestion, or incentive to modify Watanabe in this manner, the presently claimed invention can be reached only through an improper use of hindsight using the applicants' disclosure as a template to make the necessary changes to reach the claimed invention.

In addition to the above, Watanabe does not teach the specific features recited in the dependent claims. For example, with regard to claims 2, 22 and 42, Watanabe does not teach that a currently copying computer file being copied at the same time the attributes of the plurality of computer files are displayed. As mentioned previously above, the files listed in the document list box 7 of Watanabe are not a plurality of files listed in an order in which they are to be copied in accordance with a copy instruction. In addition, the Office Action alleges that the features of claims 2, 22 and 42 are taught in Figure 4 of Watanabe. Figure 4 of Watanabe only teaches a reduced size version of a document list window. There is no teaching in Watanabe that a computer file may be in the process of being copied while attributes of other computer files that are to be copied are displayed at the same time that the file is being copied. All that is taught in Figure 4 is that a document list window may be reduced in size to provide better viewing of other windows (see column 3, lines 64-67).

Regarding claims 3, 23 and 43, Watanabe does not teach displaying a progress indicator indicating an amount of the currently copying computer file that has been copied to the destination location. The Office Action alleges that this feature is taught in column 5, lines 46-63 and Figures 2-4 of Watanabe. Column 5, lines 46-63 merely teaches setting a flag that indicates whether to delete a window or not and changing the background color of a window. It is not clear how this somehow teaches indicating an amount of currently copying computer file that has been copied to the destination location. This seems to be an arbitrarily selected portion of the reference that has nothing to do with the features of claims 3. Furthermore, Figures 2-4, which have been discussed above, do not teach this feature either.

With regard to claims 4, 24 and 44, Watanabe does not teach displaying an estimated time of completion of copying the currently copying computer file. The Office Action alleges that this feature is taught at column 5, lines 46-63 and Figures 2-4. These sections are discussed above. Again, there is nothing in these sections of Watanabe or any other sections of Watanabe that teach or even remotely resemble displaying an estimated time of completion of copying a currently copying computer file.

Regarding claims 5, 25 and 45, Watanabe does not teach identifying a data size of the currently copying computer file, identifying an amount of data, corresponding to the

currently copying computer file, that has already been copied to the destination location, or displaying the progress indicator based on the data size of the currently copying computer file and the amount of data that has already been copied. The Office Action alleges that this feature is taught at column 3, lines 23-63. However, this section of Watanabe merely teaches a rotation during image loading item, and image size item, a view size item, a drive list box, and a reload button. These elements are used to designate how the images of the pages of the documents are to be displayed and the source drive from which the files are displayed in the document list window. These teachings have nothing to do with any of the features of claims 5, 25 and 45.

With regard to claim 6, 26 and 46, Watanabe does not teach identifying a copy rate, identifying a data size of the currently copying computer file, identifying an amount of data, corresponding to the currently copying computer file, that has already been copied to the destination location, or displaying the estimated time of completion based on the copy rate, the data size of the currently copying computer file and the amount of data that has already been copied to the destination location. The Office Action alleges that these features are taught by Watanabe at columns 3-4 and Figures 1-5. There is not even the mention of a copy rate anywhere in the Watanabe reference. There is no mention whatsoever in Watanabe regarding identifying an amount of data that has already been copied or displaying an estimated time of completion based on a copy rate, the data size of the currently copying computer file and an amount of data that has already been copied to the destination location. The cited sections of the Watanabe reference simply have nothing to do with the features recited in claims 6, 26 and 46.

With regard to claims 7-14, 27-34 and 47-54 Watanabe does not teach: displaying a progress indicator indicating an amount of data of the plurality of computer files that has been copied to the destination location (claims 7, 27 and 47); displaying an estimated time of completion of copying the plurality of computer files to the destination location (claims 8, 28 and 48); identifying a data size of the plurality of computer files, identifying an amount of data, corresponding to the plurality of computer files, that has already been copied to the destination location, or displaying the progress indicator based on the data size of the plurality of computer files and the amount of data that has already been copied (claims 9, 29 and 49); identifying a copy rate, identifying a data size of the plurality of

computer files, identifying an amount of data, corresponding to the plurality of computer files, that has already been copied to the destination location, or displaying the estimated time of completion based on the copy rate, the data size of the plurality of computer files, and the amount of data that has already been copied (claims 10, 30 and 50); rearranging, during copying of the plurality of computer files, the order in which the plurality of computer files are to be copied (claims 11, 31 and 51); selecting a computer file from the plurality of computer files, using the display of the plurality of computer files, and changing its position in the order in which the plurality of computer files are to be copied (claims 12, 32 and 52); or reordering the plurality of computer files based on one or more of the attributes of the plurality of computer files in accordance with a reorder criteria (claims 13-14, 33-34 and 53-54).

The Office Action alleges that these features have been discussed previously with regard to claims 1-6 in the Office Action. Applicants respectfully submit, with regard to claims 7-10, 27-30 and 47-50 that claims 3-6 recite some similar features, however these features are directed to a currently copying computer file and are not directed to the plurality of computer files. Thus, the features of claims 7-10, 27-30 and 47-50 have not actually been addressed by the Office Action in the rejection of claims 1-6. Thus, the Office Action has not established a prima facie case of anticipation with regard to claims 7-10, 27-30 and 47-50. Furthermore, there is no teaching in Watanabe regarding any of the features of claims 7-10, 27-30 and 47-50.

Regarding claims 11-14, 31-34 and 51-54 none of the claims 1-6 recite the features of claims 11-14, 31-34 and 51-54 and the Office Action has not addressed these features in the rejection of claims 1-6. There is nothing in Watanabe that teaches rearranging during copying of a plurality of computer files, the order in which the computer files are to be copied. As discussed previously, Watanabe teaches a drag-and-drop copying or moving operation that operates on a single computer file. There is no order to rearrange in Watanabe and there is no mechanism in Watanabe that would allow one to rearrange the order in which files are to be copied while they are being copied. Moreover, the Office Action has not shown where such a teaching may be found in Watanabe and thus, the Office Action has not met its burden of establishing a prima facie case of anticipation with regard to claims 11-14, 31-34 and 51-54.

With regard to claims 15, 35 and 55, Watanabe does not teach that a reorder criteria includes at least one of alphabetical order, reverse alphabetical order, smallest to largest file data size, largest to smallest file data size, oldest to most recent file creation date, and most recent to oldest file creation date. The Office Action alleges that this feature is taught at column 4, lines 30-62. However, this section of Watanabe merely teaches the reduction in size or deletion of a window during a copying or moving operation and then the return of the size of the window to its original size. How does this have anything to do with reordering criteria for reordering a plurality of computer files that are to be copied? Again, this seems to be an arbitrarily selected portion of the Watanabe reference that has nothing to do with the actual features recited in claims 15, 35 and 55.

Regarding claims 16, 36 and 56, Watanabe does not teach displaying the attributes of the plurality of computer files in a graphical user interface. While Watanabe does teach displaying attributes of document files in Figure 2, the document files are not a plurality of files that are to be copied. Thus, Watanabe does not teach the features of claim 16.

With regard to claims 17, 37 and 57, Watanabe does not teach receiving a skip command or changing a display of an attribute of a computer file from the plurality of computer files to indicate that the computer file is to be skipped during copying of the plurality of computer files. The Office Action alleges that this feature is taught at columns 5-6. However, columns 5 and 6 merely set forth a series of claims of the Watanabe reference, none of which even mention the possibility of a skip command or changing a display of an attribute of a computer file to indicate that a computer file has been skipped during copying of a plurality of computer files. Once again, this seems to be just an arbitrarily selected portion of the reference that has nothing to do with the features of the claim.

Regarding claims 18, 38 and 58, Watanabe does not teach receiving a delete command or changing a display of an attribute of a computer file from the plurality of computer files to indicate that the computer file is to be deleted after copying of the plurality of computer files. The Office Action alleges that this feature is taught in Figures 2-5 of Watanabe. There is nothing in Figures 2-5 that even hints at a delete command or

changing a display of an attribute of a computer file to indicate that the computer files are to be deleted after copying. All that is shown in Figures 2-5 is an application form (Figure 2) which does not have a delete interface, a block diagram illustrating reduction in size of windows during a copy or move operation (Figures 3A-3B), a reduced window (Figure 4), and a flowchart for reducing the size of a window during a copy or move operation (Figure 5). Nowhere in any of these figures is there even mentioned or shown a delete operation or the changing of a display of an attribute to indicate that the corresponding computer file is to be deleted after copying.

With regard to claims 19, 39 and 59, Watanabe does not teach deleting computer files that have been indicated as being computer files to be deleted, after copying of the plurality of computer files, from the destination location. The Office Action again alleges that this feature is taught in Figures 2-5. Again, there is not even the mention of a delete operation in any of these figures.

Regarding claims 20, 40 and 60, Watanabe does not teach not copying computer files that have been indicated as being computer files that are to be skipped during copying of the plurality of computer files. The Office Action alleges that this feature is taught in Figures 1-5 of Watanabe. As discussed previously with regard to claim 17, there is no teaching in Watanabe to skip computer files during a copy operation. Thus, there cannot be any teaching in Watanabe to not copy computer files that have been indicated as being computer files that are to be skipped. As with the other dependent claims, the Office Action appears to be pointing to seemingly arbitrary portions of the reference that have nothing to do with the actual features recited in the claims.

With regard to claims 62-63, the Office Action has not specifically addressed these features in any of the rejections of claims 1-6 and 15-20 contrary to the allegations made by the Office Action. Watanabe does not teach receiving a second request to remove a file from a plurality of files and in response, canceling copying of the file and alerting a graphical user interface to indicate cancellation of copying of the file (claim 62). Watanabe also does not teach that copying of the plurality of files removes the plurality of files from a source of the plurality of files (claim 63). These features are not addressed by the Office Action and thus, the Office Action has not established a prima facie case of anticipation with regard to claims 62-63.

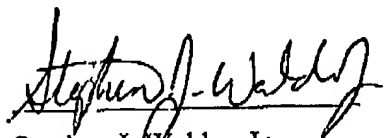
In view of the above, Applicants respectfully submit that Watanabe does not teach each and every feature of the dependent claims as is required under 35 U.S.C. § 102(b) and thus, the rejections of claims 2-20, 22-40, 42-60 and 62-63 should be withdrawn.

III. Conclusion

It is respectfully urged that the subject application is patentable over Watanabe and is now in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

Respectfully submitted,

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